IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WP(C).No. 23781 of 2007(F)

PETITIONER:

K.S. PRATHAP KAMAL,
KESAVA SADANAM, ARUVIKUZHI, VEERANAKAVU P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.D.SOMASUNDARAM

RESPONDENTS:

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1. JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), THIRUVANANTHAPURAM.

2. ADMINISTRATOR,
VEERANAKAVU RESIDENTS WELFARE CO-OPERATIVE
SOCIETY NO.T.1580, VEERANAKAVU P.O.,
THIRUVANANTHAPURAM DISTRICT.

BY GOVT. PLEADER SRI. P.K. RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 23781/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE ORDER NO.P(2) 6748/06 DATED 29.12.2006 PASSED BY THE 1ST RESPONDENT.

EXT. P2 : TRUE COPY OF THE R & D STATEMENT FOR THE YEAR ENDED ON 30.5.2007.

EXT. P3 : TRUE COPY OF THE ORDER NO.P(2) 6748/2006 DATED 16.6.2007 PASSED BY THE 1ST RESPONDENT.

EXT. P4 : TRUE COPY OF THE MASS REPRESENTATION SUBMITTED BY 70 MEMBERS OF THE SOCIETY BEFORE THE 1ST RESPONDENT DATED 19.7.2007.

K.M.JOSEPH, J.

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WP.(C) No.23781 of 2007

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Dated this the 16th day of August, 2007

JUDGMENT

Petitioner approaches this court challenging Ext.P3, seeking a direction to take action to conduct election to constitute the Managing Committee of the Society at the earliest and seeks to declare the continuance of the management of the society under Administrator is illegal and unjustifiable.

2. Heard counsel for the petitioner and the respondents.

3. Learned counsel for the petitioner Sri. D.Somasundaram submits that this court may direct election to be held at the earliest. The Administrator was appointed on 20.12.2006 and nearly nine months have gone by. The period has been further extended by another six months by Ext.P3 order. The purport of the order is to conduct election within the period.

Having regard to all facts there will be a direction to the second respondent to pass necessary resolution within one week from the date of receipt of a copy of this judgment fixing a date within six weeks

from the date of the resolution as the date of the election. This will be forwarded as required under law to the Co-operative Election Commission, so that election can be held on the date fixed by the second respondent.

(K.M. JOSEPH, JUDGE)

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